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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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MCCARTER & ENGLISH, LLP FOUR GATEWAY CENTER 100 MULBERRY STREET NEWARK, NJ 07102			EXAMINER HAN, JASON	
			ART UNIT	PAPER NUMBER
			2875	

DATE MAILED: 09/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/757,952

Applicant(s)

PATTI, ANTHONY

Examiner

Jason M. Han

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 July 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-12 and 14-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-12 and 14-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to Claims 1-2, 4-12, and 14-27 have been considered but are moot in view of the new ground(s) of rejection.

The following claims have been rejected in light of the specification, but rendered the broadest interpretation as construed by the examiner [MPEP 2111].

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-2, 4-5, 9, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tyson et al. (U.S. Patent 6068384) in view of Nau (U.S. Patent 5390090).
3. With regards to Claim 1, Tyson discloses a light fixture for use within the ground including:
 - A support member [Figure 1: (12, 14)] having a first end, a second end opposite said first end, and an internal cavity between the first and second ends;

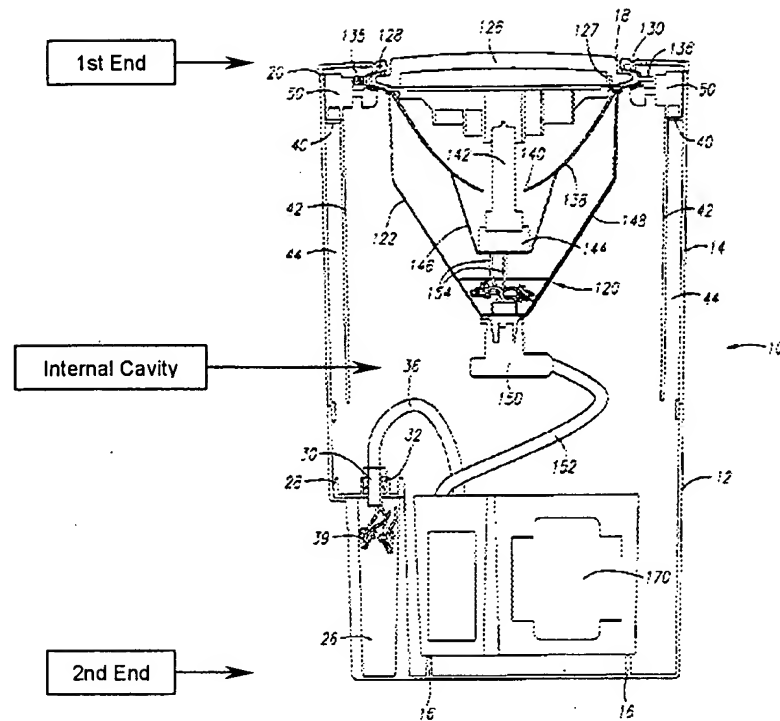
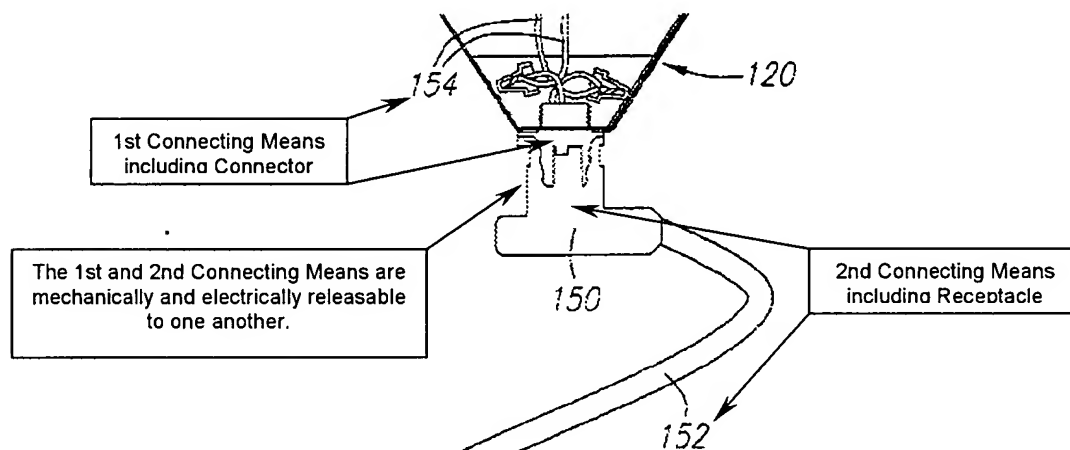


FIG. 1

- An electrical socket/connector [Figure 1: (150)] removably received within the cavity of the support member;
- A sealed modular light assembly [Figure 1: (120)] having a self-contained light source [Figure 1: (142)], whereby said modular light assembly is removably mounted to and substantially covering the first end of the support member;
- A first connecting means on the modular light assembly [Figure 1: (154)];
- A second connecting means on the socket [Figure 1: (152)];
- Whereby the first and second connecting means are releasably engageable with each other so as to mechanically and electrically connect the modular light assembly to the socket such that the socket is removable from the cavity of the support member in response to the removal of the modular light

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assembly from the first end of the support member [Figure 1 – note drawing below; Column 5, Lines 28-35], and further whereby, after removing the modular light assembly from the first end of the support member, the modular light assembly can be mechanically and electrically disconnected from the socket externally of the ground for the purposes of repair or replacement [Column 4, Lines 43-46].



Tyson does not specifically teach the light fixture for use within a masonry structure, whereby the support member is sized and shaped for insertion within an aperture of the masonry structure such that the first end of the support member is proximate to an exterior surface of the masonry structure.

Nau teaches a ground supported lamp providing:

- A masonry structure [Figure 1: (66)] having an exterior surface and an interior surface opposite the exterior surface, and an aperture [Figure 1: between (52)] formed within the exterior surface;

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- A light fixture with a support member [Figure 1: (12)] having first [Figure 1: (50)] and second [Figure 1: (32)] ends opposite of one another that define an internal cavity;
- Whereby the support member has a size and shape similar to an aperture [Figure 1: (52)] of the masonry structure such that the first end of the support member is proximate to the exterior surface of the masonry structure;
- A modular light assembly [Figure 1: (14)], having a light source [Figure 1: (26)], removably mounted to and substantially covering the first end of the support member; and
- An electrical connection [Figure 1: (28)] within the cavity of the support member for electrically connecting the modular light assembly to an external power source [Column 3, Lines 10-14].

It would have been obvious to one ordinarily skilled in the art at the time of invention that one could implement the light fixture of Tyson within a masonry structure, as taught by Nau, in order to provide an aesthetically pleasing illumination to guide individuals/vehicles along a pavement or path, as well as provide lighting to a flagpole or sign [see Column 1, Lines 7-13 of Tyson] that are commonly known to be mounted in/on masonry.

4. With regards to Claim 2, Tyson in view of Nau discloses the claimed invention as cited above. In addition, Tyson teaches the lighting fixture including at least one electrical wire [Figure 1: (152)] having a first end [Figure 1: proximate (150)] and a second end [Figure 1: proximate (36)] opposite thereof, said first end of the wire being

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electrically connected to the socket and said second end of the wire being electrically connected to an external power source [Figure 1: (39, 170)], whereby the wire has a predetermined length to allow the socket to be removed from the cavity of the support member as said modular light assembly is removed from the first end of the support member.

5. With regards to Claim 4, Tyson in view of Nau discloses the claimed invention as cited above. In addition, Tyson teaches the modular light assembly including shielding means [Figure 1: (126)] for shielding the light source of the modular light assembly from external objects.

6. With regards to Claim 5, Tyson in view of Nau discloses the claimed invention as cited above. In addition, Tyson teaches the shielding means including a lens cap [Column 4, Lines 55-56].

7. With regards to Claim 9, Tyson in view of Nau discloses the claimed invention as cited above. In addition, Tyson teaches the support member including a mounting bracket [Figure 1: (50)] mounted to the first end of the support member, whereby the mounting bracket is adapted to releasably receive the modular light assembly.

8. With regards to Claim 28, Tyson in view of Nau discloses the claimed invention as cited above. In addition, Tyson teaches the first connecting means of the modular light assembly including at least one connector, and the second connecting means of the socket including at least one receptacle [Figure 1 – note drawing above].

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9. Claims 6-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tyson et al. (U.S. Patent 6068384) in view of Nau (U.S. Patent 5390090) as applied to Claim 5 above, and further in view of Rizkin et al. (U.S. Patent 6565239).

Tyson in view of Nau discloses the claimed invention as cited above, but does not specifically teach the light source of the modular light assembly including an incandescent bulb (re: Claim 6) or a light emitting diode (re: Claim 7).

Rizkin teaches, "Those skilled in the art generally know that conventional light sources, such as incandescent lamps and a vast assortment of other so-called 'standard' light sources, frequently possess a relative luminous intensity output characteristic as is depicted in profile by curve 1, shown in dashed-and-dotted line. We refer to such a luminous intensity profile as a "main beam" which produces a light output that is generally equally distributed about a central angular displacement region. Certain commercially-available light emitting diodes, however, may possess a luminous intensity output characteristic with the light output peaking at about +/- 40 degrees relative to zero degrees angular displacement at the center of the region (optical axis) [Column 7, Lines 25-38; underlines added by examiner for emphasis]."

It would have been obvious to one ordinarily skilled in the art at the time of invention to modify the modular light assembly of Tyson in view of Nau to incorporate either the incandescent lamp or light emitting diodes of Rizkin to ensure proper illumination for the system. Such a limitation is considered an obvious matter of design preference, whereby both sources are commonly known within the art.

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10. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tyson et al. (U.S. Patent 6068384) in view of Nau (U.S. Patent 5390090) as applied to Claim 1 above, and further in view of applicant's admitted prior art (AAPA).

Tyson in view of Nau discloses the claimed invention as cited above. In addition, Nau teaches, "A flexible, e.g. rubber, seal or gasket 46 is disposed in the space 48 between shoulder 42 and lug 44, and extending upwardly in the space 48' between the upper end 50 of the bulb housing 14 and the adjacent upper side wall 52 of the case 12. The seal or gasket 46 is preferably of a soft resilient plastic or rubber which stretches around the upper end or top 50 of the bulb housing 14 and serves to align the lens 18 on the case and to prevent passage of debris into the interior 54 of the case. The seal 46 also prevents any significant amount of water from entering the interior of case 54 [Column 3, Lines 28-38]." Tyson also corroborates the need for a sealant, "The construction includes improved sealing mechanisms for light assemblies, non-corrosive materials and rugged structures providing improved and reliable outdoor lighting features [Column 1, Lines 26-29], however, neither Tyson nor Nau specifically teaches a seal being an adhesive.

AAPA teaches, "The adhesive 38 may be, but is not limited to, materials commonly known in the art as "electricians putty" or "pavement adhesive", which, while providing a flexible watertight seal, may be removed if necessary [Page 8, Lines 23-25; underline added by examiner]."

It would have been obvious to modify the light fixture of Tyson in view of Nau to incorporate the “electricians putty” or “pavement adhesive” of AAPA to ensure a flexible, removable, and watertight seal for the light assembly.

11. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tyson et al. (U.S. Patent 6068384) in view of Nau (U.S. Patent 5390090) as applied to Claim 9 above, and further in view of Ponton et al. (U.S. Patent 5924790).

Tyson in view of Nau discloses the claimed invention as cited above, but does not specifically teach the mounting bracket adapted to receive a cam lock on the modular light assembly.

Ponton teaches, “The mounting bracket of the present invention includes at least one respective flexible tongue which may be used for engagement with each locking lug of the cup-shaped body of the lamp housing. For example, in the embodiment illustrated in FIGS. 1 and 3, the second portion 72 of the mounting bracket 14 includes a first flexible tongue 82 constructed and arranged for engagement with the locking lug 26 and a second flexible tongue 84 constructed and arranged for engagement with the locking lug 28. The first flexible tongue 82 and the second flexible tongue 84 comprise respective first lug engaging surfaces 86, 88 and second lug engaging surfaces 90, 92. The first flexible tongue 82 and the second flexible tongue 84 are spaced from each other and extend in the direction 46 and axis 24 towards the first portion 68. Positioned between, and parallel to tongues 82 and 84 are ribs 87, and 89. Extending perpendicular to axial ribs 87 and 89 near the bases of tongues 82 and 84 are cross ribs 91 and 93. Axial ribs 87 and 89 extend for the lengths of tongues 82 and 84, and cross

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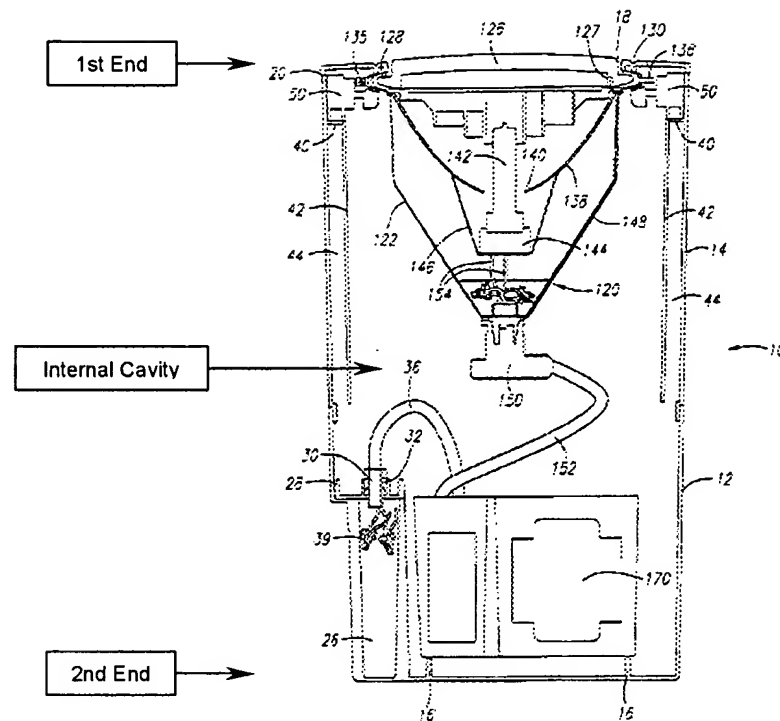
ribs 91 and 93 extend to intersect the base regions of tongues 82 and 84. An additional cross rib 95 runs between stepped portions 74 and 76. Axial ribs 87 and 89 resist flexing of portion 72 in the region along the length of tongues 82 and 84. Similarly, cross ribs 91, 93 and 95 resist twisting of portion 72 in the region of tongues 82 and 84. By resisting flexing and twisting in the region of tongues 82 and 84, portion 72 resists dynamic actions that might lift tongues 82 and 84 from securely latching camming surfaces 30, 32 and locking surfaces 34, 36. The relative interior location of the ribs hides them from view, letting the visual edges be reduced in thickness [Column 3, Line 51 – Column 4, Line 14].”

It would have been obvious to one ordinarily skilled in the art at the time of invention to modify the modular light assembly of Tyson in view of Nau to incorporate the mounting bracket with cam lock mechanism of Ponton to ensure an easy installment/removal of the light assembly from the support member/case.

12. Claims 11-12, 14-15, 18, 24, 26, and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tyson et al. (U.S. Patent 6068384) in view of Nau (U.S. Patent 5390090).

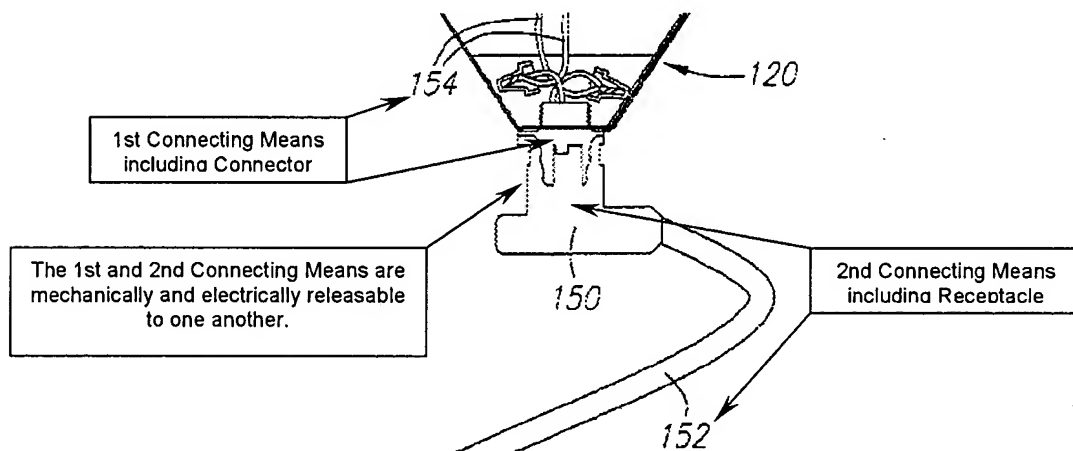
13. With regard to Claims 11, 18, and 26, Tyson discloses a light fixture for use within the ground including:

- A support member [Figure 1: (12, 14)] having a first end, a second end opposite said first end, and an internal cavity between the first and second ends;



- An electrical socket/connector [Figure 1: (150)] removably received within the cavity of the support member;
- A sealed modular light assembly [Figure 1: (120)] having a self-contained light source [Figure 1: (142)], whereby said modular light assembly is removably mounted to and substantially covering the first end of the support member;
- A first connecting means on the modular light assembly [Figure 1: (154)];
- A second connecting means on the socket [Figure 1: (152)];
- Whereby the first and second connecting means are releasably engageable with each other so as to mechanically and electrically connect the modular light assembly to the socket such that the socket is removable from the cavity of the support member in response to the removal of the modular light

assembly from the first end of the support member [Figure 1 – note drawing below; Column 5, Lines 28-35], and further whereby, after removing the modular light assembly from the first end of the support member, the modular light assembly can be mechanically and electrically disconnected from the socket externally of the ground for the purposes of repair or replacement [Column 4, Lines 43-46].



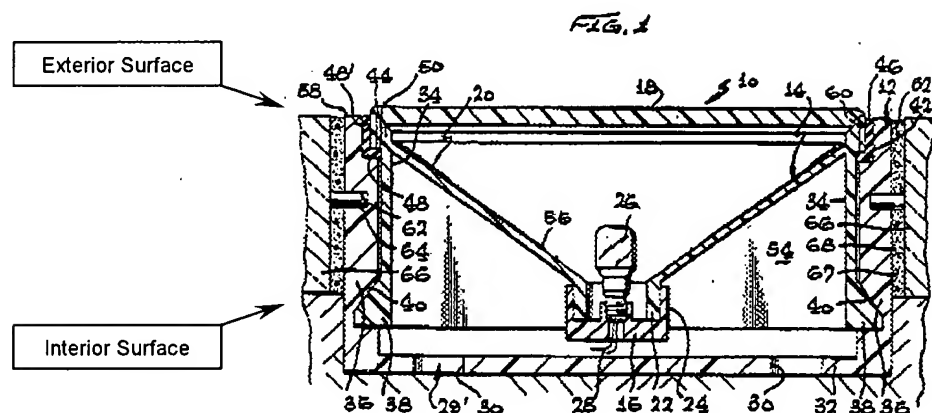
Tyson does not specifically teach the light fixture for use within a masonry structure, [specifically a paving block (re: Claim 26)], including an exterior surface, an interior surface opposite the exterior surface, and an aperture formed within the exterior, [whereby said aperture extends from the exterior surface to the interior surface of the masonry structure (re: Claim 18)], whereby the support member is sized and shaped for insertion within the aperture of the masonry structure such that the first end of the support member is proximate to the exterior surface of the masonry structure.

Nau teaches a ground supported lamp providing:

- A masonry structure/paving block [Figure 1: (66)] having an exterior surface and an interior surface opposite the exterior surface, and an aperture [Figure

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1: between (52)] formed within the exterior surface and extending from the exterior surface to the interior surface;



- A light fixture with a support member [Figure 1: (12)] having first [Figure 1: (50)] and second [Figure 1: (32)] ends opposite of one another that define an internal cavity;
- Whereby the support member has a size and shape similar to an aperture [Figure 1: (52)] of the masonry structure such that the first end of the support member is proximate to the exterior surface of the masonry structure;
- A modular light assembly [Figure 1: (14)], having a light source [Figure 1: (26)], removably mounted to and substantially covering the first end of the support member; and
- An electrical connection [Figure 1: (28)] within the cavity of the support member for electrically connecting the modular light assembly to an external power source [Column 3, Lines 10-14].

It would have been obvious to one ordinarily skilled in the art at the time of invention that one could implement the light fixture of Tyson within a masonry

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structure/paving block, as taught by Nau, in order to provide an aesthetically pleasing illumination to guide individuals/vehicles along a pavement or path, as well as provide lighting to a flagpole or sign [see Column 1, Lines 7-13 of Tyson] that are commonly known to be mounted in/on masonry.

14. With regards to Claim 12, Tyson in view of Nau discloses the claimed invention as cited above. In addition, Tyson teaches the lighting fixture including at least one electrical wire [Figure 1: (152)] having a first end [Figure 1: proximate (150)] and a second end [Figure 1: proximate (36)] opposite thereof, said first end of the wire being electrically connected to the socket and said second end of the wire being electrically connected to an external power source [Figure 1: (39, 170)], whereby the wire has a predetermined length to allow the socket to be removed from the cavity of the support member as said modular light assembly is removed from the first end of the support member.

15. With regards to Claim 14, Tyson in view of Nau discloses the claimed invention as cited above. In addition, Tyson teaches the modular light assembly including shielding means [Figure 1: (126)] for shielding the light source of the modular light assembly from external objects.

16. With regards to Claim 15, Tyson in view of Nau discloses the claimed invention as cited above. In addition, Tyson teaches the shielding means including a lens cap [Column 4, Lines 55-56].

17. With regards to Claim 24, Tyson in view of Nau discloses the claimed invention as cited above. In addition, Tyson teaches the support member including a mounting

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bracket [Figure 1: (50)] mounted to the first end of the support member, whereby the mounting bracket is adapted to releasably receive the modular light assembly.

18. With regards to Claim 29, Tyson in view of Nau discloses the claimed invention as cited above. In addition, Tyson teaches the first connecting means of the modular light assembly including at least one connector, and the second connecting means of the socket including at least one receptacle [Figure 1 – note drawing above].

19. Claims 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tyson et al. (U.S. Patent 6068384) in view of Nau (U.S. Patent 5390090) as applied to Claim 15 above, and further in view of Rizkin et al. (U.S. Patent 6565239).

Tyson in view of Nau discloses the claimed invention as cited above, but does not specifically teach the light source of the modular light assembly including an incandescent bulb (re: Claim 16) or a light emitting diode (re: Claim 17).

Rizkin teaches, "Those skilled in the art generally know that conventional light sources, such as incandescent lamps and a vast assortment of other so-called 'standard' light sources, frequently possess a relative luminous intensity output characteristic as is depicted in profile by curve 1, shown in dashed-and-dotted line. We refer to such a luminous intensity profile as a "main beam" which produces a light output that is generally equally distributed about a central angular displacement region. Certain commercially-available light emitting diodes, however, may possess a luminous intensity output characteristic with the light output peaking at about +/- 40 degrees relative to zero degrees angular displacement at the center of the region (optical axis) [Column 7, Lines 25-38; underlines added by examiner for emphasis]."

It would have been obvious to one ordinarily skilled in the art at the time of invention to modify the modular light assembly of Tyson in view of Nau to incorporate either the incandescent lamp or light emitting diodes of Rizkin to ensure proper illumination for the system. Such a limitation is considered an obvious matter of design preference, whereby both sources are commonly known within the art.

20. Claims 19-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tyson et al. (U.S. Patent 6068384) in view of Nau (U.S. Patent 5390090) as applied to Claim 18 above, and further in view of Copeland (U.S. Patent 4697950).

21. With regard to Claims 19-21, Tyson in view of Nau discloses the claimed invention as cited above, but does not specifically teach the aperture of the masonry structure having a cylindrical shape with a substantially constant diameter from the exterior surface to the interior surface of the masonry structure (re: Claim 19); an inhibiting means positioned proximate to the aperture of the masonry structure at the interior surface for inhibiting the support member from exiting the aperture at the interior surface of the masonry structure (re: Claim 20); nor teaches the inhibiting means including a substantially flat plate, whereby the plate substantially obstructs the aperture and the second end of the support member engages the plate (re: Claim 21).

Copeland teaches a ground [Figures 1-6: (12)] having an aperture of a cylindrical shape with a substantially constant diameter from an exterior to an interior surface so as to accommodate an illuminating stepping pad; an inhibiting means [Figure 4: (26, 27)] positioned proximate an aperture [Figure 4: internal cavity where the light source (14) is disposed] at an interior surface [Figure 4: bottom of (31)], so as to inhibit a support

member [Figure 4: (31)] from exiting the aperture at the interior surface; whereby the inhibiting means [Figure 4: (26, 27)] including a substantially flat plate [Figure 4: (26, 27)], whereby the plate substantially obstructs the aperture, and where the end of the support member [Figure 4: (31)] engages the plate.

It would have been obvious to one ordinarily skilled in the art at the time of invention to modify the masonry structure of Tyson in view of Nau to incorporate the cylindrical shaped aperture of Copeland in order to provide an aesthetic appeal to the structure, support for the support member, as well as simplification of installing the light fixture where the separate components [e.g., paving block, support member, modular light assembly] are held together as a unitary structure.

22. With regards to Claim 22, Tyson in view of Nau, and further in view of Copeland discloses the claimed invention as cited above. In addition, Nau teaches the lens cap [Figure 1: (18)] being positioned substantially flush to the exterior surface of the masonry structure [Figure 1: (66)].

23. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tyson et al. (U.S. Patent 6068384) in view of Nau (U.S. Patent 5390090) as applied to Claim 11 above, and further in view of applicant's admitted prior art (AAPA).

Tyson in view of Nau discloses the claimed invention as cited above. In addition, Nau teaches, "A flexible, e.g. rubber, seal or gasket 46 is disposed in the space 48 between shoulder 42 and lug 44, and extending upwardly in the space 48' between the upper end 50 of the bulb housing 14 and the adjacent upper side wall 52 of the case 12. The seal or gasket 46 is preferably of a soft resilient plastic or rubber which stretches

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around the upper end or top 50 of the bulb housing 14 and serves to align the lens 18 on the case and to prevent passage of debris into the interior 54 of the case. The seal 46 also prevents any significant amount of water from entering the interior of case 54 [Column 3, Lines 28-38].” Tyson also corroborates the need for a sealant, “The construction includes improved sealing mechanisms for light assemblies, non-corrosive materials and rugged structures providing improved and reliable outdoor lighting features [Column 1, Lines 26-29], however, neither Tyson nor Nau specifically teaches a seal being an adhesive.

AAPA teaches, “The adhesive 38 may be, but is not limited to, materials commonly known in the art as “electricians putty” or “pavement adhesive”, which, while providing a flexible watertight seal, may be removed if necessary [Page 8, Lines 23-25; underline added by examiner].”

It would have been obvious to modify the light fixture of Tyson in view of Nau to incorporate the “electricians putty” or “pavement adhesive” of AAPA to ensure a flexible, removable, and watertight seal for the light assembly.

24. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tyson et al. (U.S. Patent 6068384) in view of Nau (U.S. Patent 5390090) as applied to Claim 24 above, and further in view of Ponton et al. (U.S. Patent 5924790).

Tyson in view of Nau discloses the claimed invention as cited above, but does not specifically teach the mounting bracket adapted to receive a cam lock on the modular light assembly.

Ponton teaches, "The mounting bracket of the present invention includes at least one respective flexible tongue which may be used for engagement with each locking lug of the cup-shaped body of the lamp housing. For example, in the embodiment illustrated in FIGS. 1 and 3, the second portion 72 of the mounting bracket 14 includes a first flexible tongue 82 constructed and arranged for engagement with the locking lug 26 and a second flexible tongue 84 constructed and arranged for engagement with the locking lug 28. The first flexible tongue 82 and the second flexible tongue 84 comprise respective first lug engaging surfaces 86, 88 and second lug engaging surfaces 90, 92. The first flexible tongue 82 and the second flexible tongue 84 are spaced from each other and extend in the direction 46 and axis 24 towards the first portion 68. Positioned between, and parallel to tongues 82 and 84 are ribs 87, and 89. Extending perpendicular to axial ribs 87 and 89 near the bases of tongues 82 and 84 are cross ribs 91 and 93. Axial ribs 87 and 89 extend for the lengths of tongues 82 and 84, and cross ribs 91 and 93 extend to intersect the base regions of tongues 82 and 84. An additional cross rib 95 runs between stepped portions 74 and 76. Axial ribs 87 and 89 resist flexing of portion 72 in the region along the length of tongues 82 and 84. Similarly, cross ribs 91, 93 and 95 resist twisting of portion 72 in the region of tongues 82 and 84. By resisting flexing and twisting in the region of tongues 82 and 84, portion 72 resists dynamic actions that might lift tongues 82 and 84 from securely latching camming surfaces 30, 32 and locking surfaces 34, 36. The relative interior location of the ribs hides them from view, letting the visual edges be reduced in thickness [Column 3, Line 51 – Column 4, Line 14]."

It would have been obvious to one ordinarily skilled in the art at the time of invention to modify the modular light assembly of Tyson in view of Nau to incorporate the mounting bracket with cam lock mechanism of Ponton to ensure an easy installment/removal of the light assembly from the support member/case.

25. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tyson et al. (U.S. Patent 6068384) in view of Nau (U.S. Patent 5390090).

Since Claim 27 is a method claim reciting the structural limitations of Claim 1, Tyson in view of Nau is an obvious teaching over the scope of the present claim. It has been held an obvious matter that when all structural limitations of an apparatus have been satisfied by the prior art, one of ordinary skill in the art could construct a method claim for said apparatus.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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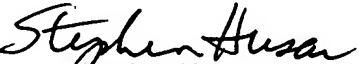
the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason M. Han whose telephone number is (571) 272-2207. The examiner can normally be reached on 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (571) 272-2378. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JMH (9/14/2005)


Stephen Husar
Primary Examiner